

MEMO ENDORSED

THE CITY OF NEW YORK
LAW DEPARTMENT

100 Church St.
 New York, NY 10007

MICHAEL A. CARDOZO
 Corporation Counsel

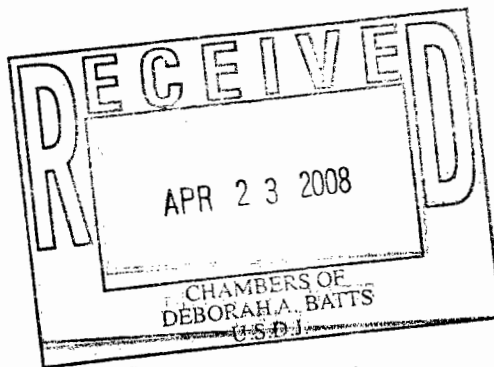
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April 18, 2008

By Hand

The Honorable Deborah A. Batts
 United States District Judge
 United States Southern District
 500 Pearl St., Room 2510
 New York, NY 10007



Re: Vernon Jones v. City of New York
 08 CV 02758 (DAB)

Your Honor:

I am the Assistant Corporation Counsel in the Office of Michael A. Cardozo, Corporation Counsel of the City of New York, assigned to the defense of this action, purportedly commenced pursuant to 42 U.S.C. § 1983. Plaintiff alleges, *inter alia*, that on August 11, 2006, he was falsely arrested and excessive force was used against him by New York City police officers; a claim for malicious prosecution is also asserted.

Upon review of the docket sheet, the undersigned has determined the defendant sued herein as "N.Y.C. Police Officer Zaka Rehman, Shield # 0820" was purportedly served on March 26, 2008.¹ Without appearing on his behalf, or waiving any potential defenses, it is respectfully requested that the individual defendant's time to answer or otherwise respond to the complaint be extended to June 9, 2008, the same date that defendant City's answer is due. Plaintiff's counsel, Steven Hoffner, has consented to this request.

The additional time will enable the City to determine, pursuant to Section 50-k of the New York General Municipal Law, and based on a review of the facts of the case, whether we

¹Although served was purportedly effectuated on the party sued herein as "Police Officer Joshua Kiess, Shield # 01095," upon information and belief, Mr. Kiess resigned from the NYPD on or about January 30, 2008 and, thus, has not been served. We will endeavor to provide plaintiff's counsel with Mr. Kiess's service information.

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Granted
 by DAB
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may represent Mr. Rehman. See Mercurio v. The City of New York, et al., 758 F.2d 862, 864-65 (2d Cir. 1985) (quoting Williams v. City of New York, et al., 64 N.Y.2d 800, 486 N.Y.S.2d 918 (1985) (decision whether to represent individual defendants is made by the Corporation Counsel as set forth in state law)).

On April 11, 2008, Your Honor endorsed the City's request for an enlargement to respond to the complaint from April 9, 2008 to June 9, 2008. No previous request for an extension has been made on behalf of the individual defendant. Accordingly, it is respectfully requested that defendant Rehman's time to answer or otherwise respond to the complaint be extended from April 15, 2008 to June 9, 2008.

Thank you for your consideration of this request.

Respectfully submitted,


Joyce Campbell Privéterre
Assistant Corporation Counsel

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cc: Via Facsimile

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SO ORDERED


DEBORAH A. BATTS 4/23/2008
UNITED STATES DISTRICT JUDGE

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